

INDIANA BOARD OF PHARMACY

Indiana Professional Licensing Agency

Conference Center Room W064
402 W. Washington St.
Indianapolis, IN 46204

MINUTES OF April 13, 2009

CALL TO ORDER & ESTABLISHMENT OF QUORUM

President and Presiding Officer Del Fanning called the meeting to order at 8:30 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

Board Members Present:

Del T. Fanning, R.Ph., President
Lora Williams, Consumer Member, Vice President
Donna Wall, PharmD., R.Ph., Member
Sara St. Angelo, PharmD, R.Ph., Member
Steve Anderson, R.Ph., Member
Bill Cover, RPh., Member
Winnie Landis, R.Ph., Member

Board Members not in attendance:

State Officials Present:

Marty Allain, Board Director, Indiana Professional Licensing Agency
Amy Phillips, Assistant Director, Indiana Professional Licensing Agency
Gordon White, Advisory Counsel

A motion was made and seconded to adopt the agenda.

Wall/Cover

Motion carried 6/0/0

A motion was made and seconded to adopt the March 2009 Minutes with corrections.

Cover/Anderson

Motion carried 5/0/1 (St. Angelo abstained)

Compliance Officers presented their reports.

Winnie Landis in attendance.

A motion was made and seconded to approve the following probationary appearances:

Mittelkamp, Elaine
Powell, Melanie
Young, Samuel
Hine, Edward
Lindstrom, Charles
Noffel, Muataz

Fanning/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to issue an Order to Show Cause to Jennifer Rangel for her failure to appear at her probationary appearances.

St. Angelo/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Ashcraft, Jason
Davis, Tracy
Jaberg, Robert
Chavarria, Gilbert
Flick, Julie
Weaver, Daniel
Stephanie Voight

St. Angelo/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Chew, Barbara
Jacobs, Tony P.
MacLean, Thomas
King, Tina
Strunc, Jeremiah

Cover/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Kaczynski, Scott
Bilbrey, Alexandra
Long, Michael
Nair, Harish

Fanning/Cover

Motion carried 7/0/0

The following failed to appear Mathys, Moore, Rodeman and Stewart.

James Miloshoff failed to appear for his personal appearance.

St. Vincent representatives appeared before the board regarding medication reconciliation.

Dispensary of Hope representatives appeared before the board regarding dispensing surplus medications to uninsured patients.

Bill Cover attended a settlement conference.

Steve Anderson met with personal appearances.

Skilled Care Pharmacy representatives appeared before the board regarding the use of an Electronic Med Cart. A motion was made and seconded to approve the use of the med cart for six (6) months with reports presented to the board in September 2009 and January 2010.

Wall/St. Angelo

Motion carried 4/0/0

Lora Williams returned to the meeting.

A motion was made and seconded to table the technician application of Jacquelyn Ramirez.

Williams/Wall

Motion carried 5/0/0

Bradley Adams appeared before the board regarding a positive response on his pharmacy technician application. A motion was made and seconded to approve a probationary certification for Applicant.

Williams/St. Angelo

Motion carried 4/0/1 (Wall)

Michael Scott appeared before the board regarding a positive response on his pharmacy technician application. A motion was made and seconded to approve a probationary certification for Applicant.

Williams/St. Angelo

Motion carried 5/0/0

Keri Lowe appeared before the board regarding a positive response on her pharmacy technician application. A motion was made and seconded to issue a probationary certification.

Williams/Landis

Motion carried 5/0/0

Judy Price appeared before the board regarding a positive response on his pharmacy technician application. A motion was made and seconded to approve the application with probation.

Williams/Landis

Motion carried 5/0/0

Bill Cover returned to the meeting.

In the Matter of the Non-Resident Pharmacy Renewal Application of College Pharmacy

License No. 64000736A

Administrative Cause No. 2008 IBP 0009

Re: Petition to Review Denial of Renewal Application

Parties and Counsel Present:

Patrick Conner, Applicant's counsel

Janine Castorina, Applicant's counsel

Rachel Christopher, Applicant

Participating Board Members:

Fanning

St. Angelo

Williams

Landis

Wall

Cover

Witnesses for the Applicant:

Rachel Christopher

Witnesses for the State:

None

Case Summary:

Applicant's application was denied by the Board and the Applicant appealed the decision.

Board Action:

A motion was made and seconded to issue a probationary license with additional terms.

Wall/St. Angelo

Motion carried 5/0/1 (Anderson)

Steve Anderson returned to meeting.

In the Matter of the Controlled Substance Registration of Holliday Health Care

Administrative Cause No. 2009 IBP 0003

Re: Recommended Findings of Fact

A motion was made and seconded to approve the recommendation of CSAC and issue a CSR to Holliday Health Care.

Cover/Anderson

Motion carried 6/0/0

Donna Wall attended a settlement conference.

In the Matter of the Indiana Pharmacist License of Traci Holling

License No. 26017269A

Administrative Cause No. 2007 IBP 0013

Re: Order to Show Cause

Parties and Counsel Present:

Steve Johnsonbaugh, Respondent's counsel

Traci Holling, Respondent

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis

Anderson

Witnesses for the Respondent:

Traci Holling

Witnesses for the State:

None

Case Summary:

The Board issued an Order to Show Cause due to Respondent's violations of her probationary terms.

Board Action:

A motion was made and seconded to indefinitely suspend respondent's license permitting reinstatement in six (6) months from the date of the Order.

Anderson/St. Angelo

Motion carried 6/0/0

Donna Wall returned to the meeting.

Bill Cover left the meeting for the day.

In the Matter of the Indiana Pharmacist License of Larry Harter

License No. 26012910A

Administrative Cause No. 2008 IBP 0052

Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG

Mike McMains, Respondent's counsel

Larry Harter, Respondent

Participating Board Members:

Fanning

St. Angelo

Williams

Landis

Anderson

Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed against the Respondent's license.

Board Action:

The parties presented a proposed settlement agreement. A motion was made and seconded to approve the settlement agreement.

Wall/Landis

Motion carried 6/0/0

In the Matter of the Indiana Pharmacist License of Julie Drapalik

License No. 26017235A

Administrative Cause No. 2008 IBP 0047

Re: Final Hearing

A motion was made and seconded to continue the hearing.

Fanning/Wall

Motion carried 6/0/0

In the Matter of the Indiana Pharmacist License of Joseph Mathys

License No. 26020663A

Administrative Cause No. 2008 IBP 0048

Re: Order to Show Cause

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning
St. Angelo
Williams
Landis
Wall
Anderson

Witnesses for the Respondent:

None

Witnesses for the State:

Carol Dunham

Case Summary:

The Board issued an Order to Show Cause due to Respondent's violations of his probationary terms.

Board Action:

Respondent failed to appear for his OTSC hearing. A motion was made and seconded to issue a notice of proposed default.

Wall/St. Angelo

Motion carried 6/0/0

A motion was made and seconded to summarily suspend the Respondent's license for ninety (90) days.

St. Angelo/Wall

Motion carried 6/0/0

Steve Anderson attended a settlement conference.

In the Matter of the Indiana Pharmacy Technician Certification of Patricia Fisher

Certification No. 67010186A
Administrative Cause No. 2009 IBP 0001
Re: Final Hearing

Parties and Counsel Present:

Christa Jewsbury, DAG
Patricia Fisher, Respondent

Participating Board Members:

Fanning
St. Angelo
Williams
Landis
Anderson
Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed against the Respondent's license. The parties presented a proposed settlement agreement.

Board Action:

A motion was made and seconded to approve the settlement agreement.

Wall/St. Angelo

Motion carried 5/0/0

In the Matter of the Indiana Pharmacy Technician Certification of Melanie Jasek

Certification No. 67011061A

Administrative Cause No. 2009 IBP 0004

Re: Final Hearing

Parties and Counsel Present:

Christa Jewsbury, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Landis

Anderson

Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed against the Respondent's license.

Board Action:

A motion was made and seconded to approve the proposed settlement agreement and revoke the Respondent's license.

Williams/St. Angelo

Motion carried 5/0/0

In the Matter of the Indiana Pharmacy Technician Certification of Michael Brittain

Certification No. 67011993A

Administrative Cause No. 2009 IBP 0005

Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis

Anderson

Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed against the Respondent's license.

Board Action:

A motion was made and seconded to issue a notice of proposed default.

Wall/St. Angelo

Motion carried 5/0/0

A motion was made and seconded to approve Greg Dodds and Ruth Ann Murr probationary appearances.

Wall/St. Angelo

Motion carried 5/0/0

A motion was made and seconded to approve the following continuing education hours:

St. Joseph County Pharmacy Assoc	(1)
Meredith Harper	(3-0.5hr)
James Roy	(1)
Mohamad Taki	(5)
Ann Yates—Clarian Health Pharmacy	(3-1hr)
Anita Lukes	(3)

Williams/St. Angelo

Motion carried 5/0/0

A motion was made and seconded to approve the pharmacy technician training program for BioScrip Pharmacy.

Landis/St. Angelo

Motion carried 6/0/0

A motion was made and seconded to request a personal appearance for pharmacist applicant Ashiedu Wadie.

Wall/St. Angelo

Motion carried 6/0/0

Steve Anderson returned to the meeting.

In the Matter of the Indiana Pharmacy Technician Certification of Shaun Ray

Certification No. 67011985A

Administrative Cause No. 2008 IBP 0018

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Landis

Anderson
Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

State seeks to extend Respondent's summary suspension for an additional ninety (90) days.

Board Action:

A motion was made and seconded to extend the Respondent's summary suspension for an additional ninety (90) days.

Landis/St. Angelo

Motion carried 6/0/0

In the Matter of the Indiana Non-Resident Pharmacy License of Creative Pharmacy Services, Inc.

License No. 64000495A
Administrative Cause No. 2008 IBP 0046
Re: Final Hearing

A motion was made and seconded to continue the hearing to July 13, 2009.

Landis/Wall

Motion carried 6/0/0

In the Matter of the Indiana Pharmacy Technician Certification of Tara Paul Cass

Certification No. 67007789A
Administrative Cause No. 2009 IBP 0002
Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning
St. Angelo
Williams
Landis
Anderson
Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed against the Respondent's license.

Board Action:

A motion was made and seconded to issue a notice of proposed default.

Landis/St. Angelo

Motion carried 6/0/0

A motion was made and seconded to summarily suspended Respondent's license for ninety (90) days.

Williams/Wall

Motion carried 6/0/0

Medicine Shoppe failed to appear. Motion was made and seconded to file a consumer complaint against Medicine Shoppe for failure to comply with INSPECT.

Vyto's Pharmacy and Midland Prescriptions Center Pharmacy agreed to begin reporting.

A motion was made and seconded to approve the pharmacy technician application for Jennifer Parker.

Anderson/Wall

Motion carried 6/0/0

A motion was made and seconded to request a personal appearance for the following pharmacy technician applicants:

Matthew Resler
Theresa Dahlgren

Anderson/Wall

Motion carried 6/0/0

Board Director's Report

Security Pad Paper Discussion

Board agreed to allow any Rx paper provider applicant to apply no more than two (2) times before August 1st, 2009. An applicant that is denied twice in this time period may apply for a third time but will be required to make a personal appearance with the board of pharmacy which will render a final decision on the application.

The next meeting shall begin at 8:30 a.m.

The meeting adjourned at 4:35 p.m.

Del Fanning, R.Ph., President
Indiana Board of Pharmacy

Date

Next Scheduled Meeting:

Monday, May 11, 2009
Indiana Government Center South
Room W064